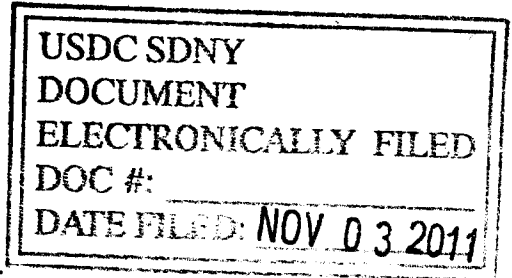


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

UNITED STATES OF AMERICA : **SUPERSEDING**
 : **INFORMATION**
 -v.- :
 : S1 06 Cr. 506 (PAC)
 YUBEL MENDEZ, :
 a/k/a "Oregano," :
 :
 Defendant. :
 :
 - - - - -x

COUNT ONE



The United States Attorney charges:

1. From at least in or about October 2004, up to and including in or about October 2005, in the Southern District of New York and elsewhere, YUBEL MENDEZ, a/k/a "Oregano," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that YUBEL MENDEZ, a/k/a "Oregano," the defendant, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance involved in the offense was five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 18, United States Code, Section 846.)

COUNT TWO

The United States Attorney further charges:

4. From in or about early 2006, up to and including in or about December 2006, in the Southern District of New York and elsewhere, YUBEL MENDEZ, a/k/a "Oregano," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

5. It was a part and an object of the conspiracy that YUBEL MENDEZ, a/k/a "Oregano," the defendant, and others known and unknown, would and did import into the United States from a place outside thereof a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, and one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Sections 812, 952(a), 960(b)(1)(B) and 960(b)(1)(A) of Title 21, United States Code.

6. It was a further part and an object of the conspiracy that YUBEL MENDEZ, a/k/a "Oregano," the defendant, and others known and unknown, would and did distribute controlled substances, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine and one kilogram and more of mixtures and substances containing a detectable amount of heroin, intending and knowing that such substances would be imported into the United

States from a place outside thereof, in violation of Sections 959, 960(a)(3), 960(b)(1)(B), and 960(b)(1)(A) of Title 21, United States Code.

(Title 21, United States Code, Section 963.)

COUNT THREE

The United States Attorney further charges:

7. From in or about 2006, up to and including in or about August 2009, in the Southern District of New York and elsewhere, YUBEL MENDEZ, a/k/a "Oregano," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

8. It was a part and an object of the conspiracy that YUBEL MENDEZ, a/k/a "Oregano," the defendant, and others known and unknown, would and did distribute a controlled substance, intending and knowing that such substance would be unlawfully imported into the United States or into waters within a distance of 12 miles of the coast of the United States, in violation of Sections 812, 959(a) & (c), and 960(a)(3) of Title 21, United States Code.

9. The controlled substance involved in the offense was five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Section 960(b)(1)(B) of Title 21, United States Code.

(Title 21, United States Code, Section 963.)

FORFEITURE ALLEGATIONS

10. As a result of committing the controlled substance offenses alleged in Counts One, Two, and Three of this Information, YUBEL MENDEZ, a/k/a "Oregano," the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853 and 970, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the narcotics violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the narcotics violations alleged in Counts One, Two, and Three of the Information including but not limited all right, title and interest of the defendant in the following specific property: a cattle farm in Los Arroyos in the Cojobal Section of the Bayaguana Municipality, which is located in the Monte Plata Province of the Dominican Republic, for which the title certificate number is 2587.

11. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty; it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 853 and 970.)


PREET BHARARA
United States Attorney